

TYPE III DEVELOPMENT & ENVIRONMENTAL REVIEW, STAFF REPORT & RECOMMENDATION

Form DS1402



Project Name: Davenport Subdivision

Case Number: PLD2002-00054; SEP2002-00126 and WET2002-00035

Parcel Number(s): Tax Lots 3/1 (156935-000) and 17/1 (156948-000) located in the NW ¼ of Section 18, Township 2 North, Range 2 East of the Willamette Meridian.

Request: Subdivide approximately 2.61-acres into 15 duplex lots in the R-12 zone.

Applicant/Owner/Contact: James Davenport
3709 East Fourth Plain Boulevard
Vancouver, WA 98661

Location: 5300 NE 56th Avenue

Area: 2.61-acres

RECOMMENDATION

Approve subject to Conditions of Approval

Team Leader's Initials: _____ Date Issued: _____

Public Hearing Date: March 27, 2003

County Review Staff:

	<u>Name</u>	<u>Phone Ext.</u>	<u>E-mail Address</u>
Planner:	Mitch Kneipp	4178	mitch.kneipp@clark.wa.gov
Engineer (Trans. and Stormwater):	Ali Safayi	4102	ali.safayi@clark.wa.gov
Engineer (Concurrency)	Shelley Oylear	4354	shelley.oylear@clark.wa.gov
Team Leader:	Susan Ellinger	4272	susan.ellinger@clark.wa.gov
Engineering Supervisor (Trans. And Stormwater):	Richard Drinkwater, P.E.	4492	richard.drinkwater@clark.wa.gov

**Engineering
Supervisor
(Trans.
Concurrency):**

Steve Shulte
P. E.

4017

steve.schulte@clark.wa.gov

Comp Plan Designation: UM (Urban Medium)

Zoning: R-12 (Multi-Family Residential)

Applicable Laws:

Clark County Code Chapters: 12.05A (Roads), 12.41 (Transportation Concurrency), 13.08A (Sewer), 13.40A (Water Supply), 13.29 (Stormwater and Erosion Control), 13.36 (Wetlands), 15.12 (Fire Prevention), 17.301 (Subdivision), 18.65 (Impact Fees), 18.311 (Multi-Family Residential Districts), 18.600 (Procedures), 20.50 (SEPA) and RCW 58.17 (State Platting Laws).

Neighborhood Association/Contact:

This site is not located within the boundaries of a recognized neighborhood association. However, notice of the application was sent to the neighboring Andresen/St. Johns, Roads End and Truman neighborhood associations.

Time Limits:

The application was determined to be fully complete on December 27, 2002 (see Exhibit No. 8). The applicant was asked to submit additional information and thereby, extended the deadline by 24 days. Therefore, the County Code requirement for issuing a decision within 92 days lapses on April 22, 2003. The State requirement for issuing a decision within 120 calendar days, lapses on May 20, 2003.

Vesting:

An application is reviewed against the subdivision, zoning, transportation, stormwater and other land development codes in effect at the time a fully complete application for preliminary approval is submitted. If a pre-application conference is required, the application shall earlier contingently vest on the date the fully complete pre-application is filed. Contingent vesting requires that a fully complete application for substantially the same proposal is filed within 180 calendar days of the date the county issues its pre-application conference report.

A pre-application conference on this matter was held on June 27, 2002. The pre-application was determined contingently vested as of June 4, 2002.

The fully complete application was submitted on November 6, 2002 and determined to be fully complete on December 27, 2002. Given these facts the application is vested on June 4, 2002.

There are no disputes regarding vesting

Public Notice:

Notice of application and public hearing was mailed to the applicant and property owners within 300 feet of the site on January 27, 2003. (Note: This site is not located within the boundaries of a recognized neighborhood association. However, notice of the application was sent to the neighboring Andresen/St. Johns, Roads End and Truman neighborhood associations.) One sign was posted on the subject property and two within the vicinity on March 12, 2003. Notice of the SEPA Determination and public hearing was published in the "Columbian" Newspaper on March 14, 2003.

Public Comments:

None

Project Overview

The subject site is located immediately west of NE 56th Avenue at NE 54th Street and is zoned R-12. There are two parcels that form a long and narrow rectangle running east and west. There are wetlands on the site located in the northwest corner. There is an existing residence on the site and several accessory structures all of which will be removed as part of this development. To the north of the site is a single-family residential development known as Pacific Meadows Phase 1. The properties north and south of the proposed development are also zoned R-12, and the properties to the west and east are zoned for single-family residential, R1-5 and R1-6 respectfully. The applicant is seeking subdivision approval to create 15 duplex lots.

Staff Analysis

Staff first analyzed the proposal in light of the 16 topics from the Environmental Checklist (see list below). The purpose of this analysis was to identify any potential adverse environmental impacts that may occur without the benefit of protection found within existing ordinances.

- | | |
|---------------------------------|--|
| 1. Earth | 9. Housing |
| 2. Air | 10. Aesthetics |
| 3. Water | 11. Light and Glare |
| 4. Plants | 12. Recreation |
| 5. Animals | 13. Historic and Cultural Preservation |
| 6. Energy and Natural Resources | 14. Transportation |
| 7. Environmental Health | 15. Public Services |
| 8. Land and Shoreline Use | 16. Utilities |

Then staff reviewed the proposal for compliance with applicable code criteria and standards in order to determine whether all potential impacts will be mitigated by the requirements of the code.

Staff's analysis also reflects review of agency and public comments received during the comment period, and knowledge gained through a site visit.

Major Issues:

Only the major issues, errors in the development proposal, and/or justification for any conditions of approval are discussed below. Staff finds that all other aspects of this

proposed development comply with the applicable code requirements, and, therefore, are not discussed below.

LAND USE:

Finding 1 – Density

CCC 18.311.031 requires a finding that minimum densities have been met. Based on a lot size of 2.61-acres the required minimum density is 20.88 (rounded down to 20). The applicant is proposing 15 duplexes, or 30 dwelling units, which meets the minimum density requirement. No condition of approval is warranted.

Finding 2 – Landscaping

The applicant has identified the required landscaping buffer along the perimeter of the site but has not provided a landscape plan showing compliance with the standards. The applicant notes on the preliminary plat that a landscape plan will be required, therefore, prior to final plat the applicant shall submit for approval a landscape plan in compliance with Table 18.402A-1 (See Condition A-1).

Finding 3 – Development of Lot 15

Development of proposed Lot 15 is extremely limited, if not unlikely, due to the temporary cul-de-sac and the storm facility access and maintenance easement. Therefore, a note shall be provided on the face of the plat stating development of this lot shall not occur until the temporary cul-de-sac has been appropriately removed (See Condition D-1).

Finding 4 – Manufactured Homes

The applicant has not indicated that manufactured homes would be placed on the lots in the proposed plat. Therefore, pursuant to CCC 18.406.020(U), manufactured homes are prohibited on any lot in this plat (See Plat Note D-2).

Finding 5 – State Platting Standards (RCW 58.17)

With conditions of approval, staff finds the proposed land division will make appropriate provisions for the public health, safety, and general welfare. Extension and connection of proposed residences to public sewer and water, as well as treatment of any future increase of stormwater runoff, will be provided, to protect groundwater supply and integrity. Impact Fees will also be required to contribute a proportionate share toward the costs of school, park and transportation provisions, maintenance and services.

CRITICAL AREAS:

Wetlands:

Staff has considered the following SEPA Elements as they pertain to wetlands:

1. Earth
3. Water
4. Plants

Only major issues that require conditions and/or revisions to the proposed plans to ensure compliance with the requirements of the Wetland Protection Ordinance (CCC 13.36) are discussed in detail below:

Finding 1

Compliance with CCC 13.36 will ensure that the project has no significant environmental impacts to wetlands (see SEPA Determination).

Finding 2

Staff concurs with the findings in the March 22, 2002 Wetland Delineation Report (Exhibit 18) prepared by Cascadia Ecological Services, Inc. The northeast corner of the site contains Category 4 wetlands with a 35 ft. Type B buffer.

Finding 3

The proposed Buffer Shielding Plan dated March 3, 2003 (Exhibit 14) warrants a 10% reduction in the wetland buffer under the provisions of CCC 13.36.415 (3b). The proposed 30 ft. buffer, therefore complies with CCC 13.36. A Final Wetland permit will not be required to review the shield prior to construction PROVIDED that the shielding plan is shown on the Engineering Construction Plans.

Conclusion:

Based upon the development site characteristics and the proposed development plan, staff concludes that the proposed preliminary land division and preliminary wetland permit complies with the requirements of the Wetland Protection Ordinance. Therefore, the requirements of the preliminary plan review criteria are satisfied.

Recommendation: Approval With Conditions

TRANSPORTATION CONCURRENCY (CITY OF VANCOUVER):

As part of the inter-local government agreement signed with the County on July 21, 1998, the City of Vancouver Concurrency staff has reviewed the proposed residential subdivision development consisting of 15 lots of duplex lots. The proposed development is located at the terminus of the NE 54th Avenue. The applicant's traffic study dated October 2002, prepared by Bruce F. Schafer & Company, has estimated the weekday PM peak hour trip generation at 7 trips classified as primary trips, and weekday AM peak hour trip generation at 11 trips classified as primary trips. The project will impact the following Transportation Analysis Zone (TAZ) and the following City's Transportation Management Zone (TMZ):

Corridor Name	Corridor Limit	Number of PM Peak Trips to City Concurrency Corridors	TAZ
Fourth Plain Blvd	Stapleton to I-205	<u>0</u>	#191

The following paragraphs document one transportation issue for the proposed development.

Issue 1 – City Concurrency

The applicant submitted a traffic study for this proposal in compliance with the inter-local agreement and City's VMC 119.5 and VMC 11.90. The proposal is required to meet the standards established in the inter-local agreement, VMC 119.5 and VMC 11.90 for corridors and intersections of regional significance.

Finding 1

Based on the submitted traffic study, the proposed development could send less than 5 PM peak trips or no trips to the City's concurrency corridors. Therefore, no additional concurrency and traffic comments or conditions from the City will be applied to the proposed development

Conclusion

The project meets City Concurrency VMC 11.95 and VMC 11.90 requirements.

Recommendation: Approval

TRANSPORTATION CONCURRENCY (CLARK COUNTY):

County concurrency staff has reviewed the proposed Davenport Subdivision consisting of 15 duplex lots, with 30 units. The applicant's traffic study has estimated the weekday AM peak hour trip generation at 13 new trips, while the PM peak hour trip generation is estimated at 16 trips. The following paragraphs document two transportation issues for the proposed development.

Finding 1 – Concurrency

The applicant submitted a traffic study for this proposal in accordance with CCC 12.41.050(A) and is required to meet the standards established in CCC 12.41.080 for corridors and intersections of regional significance. The County's Traffix™ model includes the intersections of regional significance in the area and the County's model was used to evaluate concurrency compliance.

Site Access

Level of Service (LOS) standards are not applicable to accesses that are not regionally significant; however, the LOS analysis provides information on the potential congestion and safety problems that may occur at the site access to the arterial and collector network. The intersections include NE 56th Ave/NE 55th Street and NE 56th Ave/NE 47th Street and NE 44th Street/NE 56th Avenue. These intersections appear to maintain acceptable LOS. Analysis of NE 58th Street and NE 56th Avenue was not included in the study. This intersection should have been included in the traffic study however the study estimates that 5 vehicles will use the intersection. It is unlikely that this proposed development would materially aggravate the possible existing situation; therefore, conditioning mitigation upon the applicant at this intersection would not comply with CCC 12.05.230. No mitigation should be required from the applicant at this intersection with respect to safety.

Operating LOS on Corridors

The proposed development was subject to concurrency modeling. The modeling results indicate that the operating levels comply with travel speed and delay standards. The applicant should reimburse the County for costs incurred in running the concurrency model (See Condition A-2).

Concurrency Compliance

The proposed development complies with the Concurrency Ordinance CCC 12.41 subject to the mitigation situation described above.

Finding 2 – Safety

Where applicable, a traffic study shall address the following safety issues:

- traffic signal warrant analysis,
- turn lane warrant analysis,
- accident analysis, and
- any other issues associated with highway safety.

Mitigation for off-site safety deficiencies may only be a condition of approval on development in accordance with CCC 12.05.230. This ordinance states that “nothing in this chapter shall be construed to preclude denial of a proposed development where off-site road conditions are inadequate to provide a minimum level of service as specified in Chapter 12.41 CCC or a *significant* traffic or safety hazard *would be caused or materially aggravated* by the proposed development: provided that the developer may voluntarily agree to mitigate such direct impacts in accordance with the provisions of RCW 82.02.020.”

Turn Lane Warrants

Turn lane warrants are evaluated at un-signalized intersections to determine if a separate left or right turn lane is needed on the uncontrolled roadway. The applicant's traffic study analyzed the roadways in the local vicinity of the site to determine if turn lane warrants are met. Turn lane warrants were not met at any of the un-signalized intersections analyzed in the applicant's traffic study; therefore, mitigation is not required.

Historical Accident Situation

The applicant's traffic study analyzed the accident history at the regionally significant intersections; however, all of the historical accident rates at these intersections are below 1.0 accidents per million entering vehicles. Therefore, mitigation by the applicant is not required.

Recommendation: (Approval)

TRANSPORTATION:

Finding 1 – Circulation Plan

The provisions of Section CCC 12.05A.110, require that the existing road system and the proposed extensions provide adequate cross circulation for serving the proposed subdivision and allow the subsequent developments in the vicinity to meet these standards.

NE 56th Avenue, a 2-lane urban collector road abutting the development on the east, is the primary north-south circulation road in the vicinity of the development. The proposed extensions of NE 54th Avenue, NE 54th Street, and NE 54th Circle will provide cross circulation within the site and connectivity to the existing roads in the vicinity. Therefore, the proposed project meets the requirement of the circulation plan in compliance with Section CCC 12.05A.110.

Finding 2 – Roads (NE 56th Avenue)

NE 56th Avenue is classified as a 2-lane urban collector road (C-2). The minimum improvements for these roadways include:

A minimum half-width right-of-way of 30 feet; a minimum half-width roadway of 19 feet; curb/gutter; minimum detached sidewalk width of 6 feet and landscaping (See Standard Drawing #12, CCC12.05A).

The existing NE 54th Avenue was stubbed to the northern property line of the proposed subdivision as part of the Pacific Meadows development with a 32-foot wide paved roadway within a 50-foot right-of-way (ROW). The applicant is proposing to construct the southerly extension of this road through the property as a “Local Residential” road with a 46-foot ROW, 28-foot paved roadway, and 5-foot wide sidewalks. Staff concurs with the applicant in that the construction of NE 56th Avenue to the “Local Residential” road standards is in compliance with the local access road standards as this road will not be serving more than 1500 Average Daily Trips (See Standard Drawing #14, CCC12.05A).

The proposed improvements shall be tapered to match the existing improvements.

Finding 3 – Roads (NE 54th Street and NE 54th Circle)

The proposed NE 54th Street and NE 54th Circle will be constructed as “Local Residential” roads. The proposed partial-width improvements along these roads, include:

A partial-width right-of-way of 29 feet; a minimum half-width roadway of 20 feet; curb/gutter; a minimum sidewalk width of 5 feet along the north side.

The proposed improvements are in compliance with the minimum requirements (See Standard Drawing #14, CCC12.05A).

The cul-de-sac at the easterly terminus of NE 54th Circle and the temporary turnaround at the westerly terminus of NE 54th Street will be constructed with a minimum pavement radius of 35-feet, rolled curb, and a 5-foot thickened sidewalk within a minimum ROW radius of 40-feet (See Standard Drawing #28, CCC12.05A).

The temporary turnaround at the westerly terminus of NE 54th Street may be constructed with a minimum pavement of 45-foot radius in accordance with Standard Drawing #31, CCC 12.05A.

“No Parking” signs shall be installed along NE 54th Street since it will be constructed as a partial width roadway (See Condition A-3).

In accordance with CCC Table 12.05A.120-3, the minimum full access intersection spacing for “Local Residential” roads is 100 feet. The proposed intersection spacing is in compliance with the minimum spacing requirements.

Finding 4 – Access

The future residential units within the proposed development will be accessed from NE 54th Street and NE 54th Circle. The location of the proposed driveways shall be in compliance with the sight distance and intersection spacing requirements. The internal circulation within the proposed development shall be approved by the county Fire Marshal.

Finding 5 – Sight Distances

Driveways and intersections shall have an unobstructed sight distance triangle in accordance with the provisions of Section CCC 12.05A.250.

Finding 6 – Pedestrian/Bicycle Circulation

Pedestrian circulation facilities in compliance with the Americans with Disabilities Act are required in accordance with Section CCC 12.05.A.400. Bike lanes are required for urban collector roads. The development plans show sidewalk along the frontage on NE 56th Avenue and along the onsite roads. Widening of NE 56th Avenue will provide for installation of bike lanes. The project shall provide a pedestrian access-way from the cul-de-sac at the end of NE 54th Circle to the proposed sidewalk along NE 56th Avenue within a recorded easement (See Condition A-4).

Conclusion:

Based upon the findings, development site characteristics, the proposed transportation plan, and the requirements of the County's transportation standards, staff concludes that the proposed preliminary development plan is feasible.

STORMWATER:

Finding 1 – Applicability

The Stormwater and Erosion Control Ordinance CCC 13.29, adopted July 28, 2000, applies to development activities that results in 2,000 square feet or more of new impervious area within the urban area; the platting of single-family residential subdivisions in an urban area; and all land disturbing activities, except those exempted in Section 13.29.210.

The project will create more than 2000 square feet of new impervious surface, involves platting of single-family residential subdivision, and it is a land disturbing activity not exempted in section 13.29.210. Therefore, this development shall comply with CCC 13.29, the Stormwater and Erosion Control Ordinance.

The erosion control ordinance is intended to minimize the potential for erosion and a plan is required for all projects meeting the applicability criteria listed in 13.29.200. This project is subject to the erosion control ordinance.

Finding 2 – Stormwater Proposal

The proposed stormwater quality control facilities located to the southwest of the site is comprised of a Stormwater Management StormFilter™ filtration vault. These filters are listed as approved BMP's for stormwater quality control. The preliminary stormwater design report indicates that the proposed filtration system will treat 70% of the runoff from the pollution generating surfaces due to the 2-year, 24-hour storm event.

As shown on the preliminary stormwater plan, quantity control will be achieved via 4 separate 13-foot drywell systems. Runoff from the western portion of the site is collected and directly discharged into the wetland area that is northwest of the site. The existing wetland is connected to the existing stormwater facility constructed with the Pacific Meadows subdivision to the north of the proposed development. Runoff from the proposed onsite paved surfaces will be treated, detained and discharged to the Pacific Meadows storm facility. The preliminary stormwater report indicates that the infiltration systems are designed to dissipate the runoff due to the 100-year storm events. The stormwater plan proposes to discharge the stormwater to the existing facility at a peak release rate equal to half of the pre-developed 2-year runoff rate; and not exceeding 10 and 100-year pre-developed runoff rates.

Finding 3 – Site Conditions and Stormwater Issues

The site (with slopes of 0% to 10%) contains open field, grass, shrubs, and trees. The existing dwelling and outbuildings will be removed prior to development of the site.

The preliminary stormwater report submitted by the applicant indicates that the developed site will have total new impervious area of 1.73 acres. The proposed pervious areas consisting of landscaped and wetland areas will be approximately 1 acre.

Evaluation of the contours identified on the county GIS topographic maps and through a site inspection indicates that the stormwater runoffs from the adjacent parcel to the south contribute to the runoff volume within the site. The proposed stormwater quantity control facilities are designed to receive stormwater runoff from the proposed development. In accordance with the provisions of Section CCC 13.29.310(A)(7), no development within an urban area shall be allowed to block drainage from adjacent lots. Therefore, the stormwater calculations, and the sizing of the facilities, shall be based on the runoff volume from the site itself and the offsite contributory drainage areas (See Condition A-5).

USDA, SCS mapping shows the site to be underlain by 100% Hillsboro (HIB) soils classified by AASHTO as A-4 soils. These soils are also classified as hydrologic soil group "B". The Stormwater and Erosion Control Ordinance, CCC 13.29, lists A-4 soils as unsuitable for infiltration. The applicant has submitted a soil infiltration investigation report that provides infiltration test results at two locations. The ground water level has been measured in another location. The infiltration tests showed an infiltration rate of 120 inches per hour at the depth of 10 to 11 feet in Test Pit #1 and 180 at the depth of 9.5 to 10.5 feet in Test Pit #2. The preliminary stormwater plan indicates that an infiltration rate of 50 inches per hour was used to design the

infiltration facilities. The laboratory tests on the soil samples has resulted in the classification of the soils as A-2 soil in Test Pit #1 and A-3 soil in Test Pit #2. A-3 soils are listed in CCC 13.29 as suitable soils for infiltration. However, only A-2-4 and A-2-5 are suitable for infiltration. The applicant shall submit evidence that shows infiltration at the proposed designed rates can be achieved. In accordance with CCC 13.29.310(C)(1), the infiltration investigation report shall be prepared through both approved field and laboratory testing. In order to ensure that the proposed stormwater infiltration system will function as designed, the infiltration rate used in the final stormwater analysis shall be verified during the construction of the stormwater facilities (See Condition A-6).

The infiltration investigation report indicates that the field study was performed in September of 2002. The report indicates that it is not possible to estimate how high the ground water level might rise based on the present level of information. The applicant shall be required to conduct further tests to determine the elevation of the high ground water table since ground water significantly impacts the rate of infiltration (See Condition A-7).

The applicant has submitted supplemental information for the stormwater facility design for the Pacific Meadows subdivision prepared by Hopper & Dennis, P.L.L.C. This information indicates that a portion of the Davenport property (approximately 0.57 acres) had been accounted for when the stormwater facility for Pacific Meadows subdivision was designed. The applicant shall provide information indicating that the runoff from this development does not exceed the rates assumed in the design of the existing facility within the Pacific Meadows subdivision. In addition, the applicant shall provide information that the facility has capacity to receive runoff from the proposed Davenport project, and the facility is functioning as designed. Alternatively, the applicant shall explore other options that may include modification of the existing facility (See Condition A-8).

A substantial amount of impervious area will be created within each lot of the proposed development. A typical lot layout that shows the impervious area and the drainage paths for each lot shall be included in the construction plans (See Condition A-9).

Conclusion:

Based upon the development site characteristics, the proposed stormwater plan and the requirements of the county's stormwater ordinance, staff concludes that the proposed preliminary stormwater plan is feasible.

FIRE PROTECTION:

Finding 1

Fire flow in the amount of 1000 gallons per minute supplied for 60 minutes duration is required for this application. A request for utility service (RUS2002-00047) from the City of Vancouver states that fire flow in the area is 2000 GPM. Water mains supplying fire flow and fire hydrants shall be installed, approved and operational prior to final plat approval (See Condition A-10).

Finding 2

One (1) additional fire hydrant is required for this application. Either the indicated number or the spacing of the fire hydrants is inadequate. The applicant shall provide fire hydrants such that the maximum spacing between hydrants does not exceed 700 feet and such that no lot or parcel is in excess of 500 feet from a fire hydrant as measured along approved fire apparatus access roads (See Condition A-11).

Finding 3

Unless waived by the fire district chief fire hydrants shall be provided with appropriate 'storz' adapters for the pumper connection (See Condition A-12).

Finding 4

The local fire district chief approves the exact locations of fire hydrants. As a condition of approval, contact fire district 5 at (360) 696-8166 to arrange for location approval (See Condition A-13).

Finding 5

The applicant shall provide and maintain a six-foot clear space completely around every fire hydrant (See Condition A-14).

Finding 6

Fire apparatus access is required for this application. The applicant shall provide fire apparatus access roads with an unobstructed width of not less than 20 feet, an unobstructed vertical clearance of not less than 13.5 feet, with an all weather driving surface and capable of supporting the imposed loads of fire apparatus. The roadways and maneuvering areas as indicated in the application adequately provide required fire apparatus access (See Condition A-15).

Finding 7

Approved fire apparatus turnarounds are required for this project. The indicated provisions for turning around fire apparatus are adequate. No condition of approval is warranted.

HEALTH DISTRICT:

Criteria:

CCC 13.40A (Water Supply), establishes that the provision of publicly managed water system to serve new developments in the urbanized areas (of the county) is necessary. WAC 173-160-415, 246-290 and RCW 58.17, provide state guidelines for potable water provision to support new development in the county.

Finding 1

The Southwest Washington Health District found no direct evidence of wells on the site. However, if a well is discovered it requires abandonment and must be performed by a licensed well driller (per WAC 173-160-415), with written verification submitted to the SWWHD, or its successor, prior to final plat approval. The driller must contact the SWWHD, or its successor, prior to decommissioning the well. The location of the decommissioned well, if any, must be shown on the final plat (See Condition E-13).

Finding 2

The applicant submitted a utility review for water from the City of Vancouver indicating that public water is available to serve this housing development. The applicant will need to effect and pay for all improvements required by City of Vancouver, and connect each new lot, and duplex, to public water (See Condition C-1).

Criteria:

CCC 13.08A (Sewage Treatment), WAC 246-272, and RCW 58.17, enhance public health by providing policies and guidelines regarding when connection to public sewer is required or prohibited. All new developments in the urban area are required to connect to public sewer unless a waiver is granted for small projects in accordance with the criteria in this section. The Southwest Washington Health District ensures that the system complies with the minimum standard established by the State.

Finding 3

The Southwest Washington Health District found evidence of at least one (1) existing septic system on the site. Written verification that the system has been properly abandoned must be submitted to the SWWHD prior to the final plat approval. Proper abandonment requires tank pumping by a licensed pumper, breaking the tank lid, and filling the cavity with compacted soil. The location of the abandoned tank must be shown on the final plat (See Condition E-13).

Finding 4

The applicant submitted a utility review from the City of Vancouver indicating that public sewer is available to serve the subject site. The applicant shall effect and pay for all improvements required by the City of Vancouver, and connect each new lot, and duplex, to public sewer (See Condition C-2).

IMPACT FEES:

Finding 1

Park (PIF), Traffic (TIF), and School (SIF) Impact Fees apply to this development. The site is within Park Facility Plan District No. 7 which has a total PIF of \$1,884.00 per dwelling unit, the Orchards Transportation District which has a TIF of \$1,220.18 per dwelling unit, and the Vancouver School District which has a SIF of \$1,725.00 per dwelling unit (See Condition B-1).

If a building permit application is received more than three years following the preliminary plat approval, the Impact Fees will be recalculated according to the then current ordinance. This should be noted on the face of the final plat (See Condition D-4).

SEPA DETERMINATION

As lead agency under the State Environmental Policy Act (SEPA) Rules [Chapter 197-11, Washington Administrative Code (WAC)], Clark County must determine if there are possible significant adverse environmental impacts associated with this proposal. The options include the following:

- **DS = Determination of Significance** (The impacts cannot be mitigated through conditions of approval and, therefore, requiring the preparation of an Environmental Impact Statement (EIS);
- **MDNS = Mitigated Determination of Non-Significance** (The impacts can be addressed through conditions of approval), or;
- **DNS = Determination of Non-Significance** (The impacts can be addressed by applying the County Code).

Determination:

Determination of Non-Significance (DNS). Clark County, as lead agency for review of this proposal, has determined that this proposal does not have a probable significant adverse impact on the environment. An Environmental Impact Statement (EIS) is not required under RCW 43.21C.030(2)(e). This decision was made after review of a completed environmental checklist and other information on file with the County.

Date of Publication & Comment Period

Publication date of this DNS is March 14, 2003 and is issued under WAC 197-11-340. The lead agency will not act on this proposal until the close of the 14-day comment period, which ends on March 28, 2003.

Public Comment Deadline:
March 28, 2003

SEPA Appeal Process:

An **appeal** of this SEPA determination and any required mitigation must be filed with the Department of Community Development within fourteen (14) calendar days from the date of this notice. The SEPA appeal fee is **\$175**.

A **procedural appeal** is an appeal of the determination (i.e., determination of significance, determination of non-significance, or mitigated determination of non-significance). A **substantive appeal** is an appeal of the conditions required to mitigate

for probable significant issues not adequately addressed by existing County Code or other law.

Issues of compliance with existing approval standards and criteria can still be addressed in the public hearing without an appeal of this SEPA determination.

Both the **procedural and substantive appeals** must be filed within fourteen (14) calendar days of this determination. Such appeals will be considered in the scheduled public hearing and decided by the Hearing Examiner in a subsequent written decision.

Appeals must be in writing and contain the following information:

1. The case number designated by the County and the name of the applicant;
2. The name and signature of each person or group (petitioners) and a statement showing that each petitioner is entitled to file an appeal as described under Section 18.600.100 (A) of the Clark County Code. If multiple parties file a single petition for review, the petition shall designate one party as the contact representative with the Development Services Manager. All contact with the Development Services Manager regarding the petition, including notice, shall be with this contact person;
3. A brief statement describing why the SEPA determination is in error.

The decision of the Hearing Examiner on any SEPA appeal can not be appealed to the Board of County Commissioners, but must pursue judicial review.

Staff Contact Person: Mitch Kneipp, (360) 397-2375, ext. 4178
Susan Ellinger, (360) 397-2375, ext. 4272

Responsible Official: Michael V. Butts
Department of Community Development
1300 Franklin Street

P.O. Box 9810
Vancouver, WA 98666-9810
Phone: (360) 397-2375; Fax: (360) 397-2011
Web Page at: <http://www.co.clark.wa.us>

RECOMMENDATION

Based upon the proposed plan (identified as Exhibit 5), and the findings and conclusions stated above, staff recommends the Hearings Examiner **APPROVE** this request, subject to the understanding that the applicant is required to adhere to all applicable codes and laws, and is subject to the following conditions of approval:

Conditions of Approval

Z. Conditions that must be met prior to Engineering Construction Plan Approval

- Z-1** The proposed buffer shielding on Lots 14 and 15 shall be clearly shown in plan and detail on the Engineering Construction Plans. (see Wetland Finding #3);

A. Conditions that must be met prior to Final Plat approval:

- A-1** The applicant shall submit for approval a landscape plan in compliance with Table 18.402A-1 (See Land Use Finding 2).
- A-2** The applicant shall reimburse the County for the cost of concurrency modeling incurred in determining the impact of the proposed development, in an amount not to exceed \$1,500. The reimbursement shall be made within 60 days of issuance of the Staff Report with evidence of payment presented to staff at Clark County Public Works (See Transportation Concurrency Finding 1).
- A-3** “No Parking” signs shall be installed along NE 54th Street (See Transportation Finding 3).
- A-4** The project shall provide a pedestrian access-way from the cul-de-sac at the end of NE 54th Circle to the proposed sidewalk along NE 56th Avenue within a recorded easement (See Transportation Finding 6).
- A-5** The runoff volume from the offsite contributory areas and frontage improvements shall be included in the stormwater calculations (See Stormwater Finding 3).
- A-6** In accordance with CCC 13.29.310(C)(1), the infiltration investigation report shall be prepared through both approved field and laboratory testing. The infiltration rate used in the final stormwater analysis shall be verified during the construction of the stormwater facilities (See Stormwater Finding 3).
- A-7** The applicant shall conduct further tests to determine the elevation of high ground water table since ground water significantly impacts the rate of infiltration (See Stormwater Finding 3).
- A-8** The applicant shall provide information indicating that the runoff from this development does not exceed the rates assumed in the design of the existing facility within the Pacific Meadows subdivision, the facility has capacity to receive runoff from the proposed Davenport project, and the facility is functioning as designed. Alternatively, the applicant shall explore other options that may include modification of the existing facility (See Stormwater Finding 3).

- A-9** A typical lot layout that shows the impervious area and the drainage paths for each proposed lot shall be included in the construction plans (See Stormwater Finding 3).
- A-10** Submit proof from the water purveyor indicating that the required fire flow at the required duration is available at the site and install water mains that supply fire flow and fire hydrants (See Condition Fire Protection Finding 1).
- A-11** Provide required fire hydrants such that the maximum spacing between hydrants does not exceed 700 feet and such that no lot or parcel is in excess of 500 feet from a fire hydrant as measured along approved fire apparatus access roads (See Fire Protection Finding 2).
- A-12** Unless waived by the fire district chief, fire hydrants shall be provided with appropriate 'storz' adapters for the pumper connection (See Protection Finding 3).
- A-13** Contact fire district 5 at (360) 696-8166 to arrange for fire hydrant location approval (See Fire Protection Finding 4).
- A-14** Provide and maintain a six-foot clear space completely around every fire hydrant (See Fire Protection Finding 5).
- A-15** Provide fire apparatus access roads with an unobstructed width of not less than 20 feet, an unobstructed vertical clearance of not less than 13.5 feet, with an all weather driving surface and capable of supporting the imposed loads of fire apparatus (See Fire Protection Finding 6).

B. Conditions that must be met prior to issuance of Building Permits

- B-1** Impact fees shall be paid prior to issuance of a building permit for each dwelling unit as follows:

- Traffic Impact Fees: \$1,220.18 (Orchards TIF District)
- Park Impact Fees: \$1,884.00 (\$1,445.00-Acquisition; \$440-Development for Park District #7)
- School Impact Fees: \$1,725.00 (Vancouver School District)

If a building permit application is made more than three years following the date of preliminary plat approval, the impact fees shall be recalculated according to the then-current ordinance rate.

C. Conditions that must be met prior to issuance of Occupancy Permits

- C-1** The applicant shall effect and pay for all improvements required by the City of Vancouver, and connect each new dwelling unit to public water (See Health Department Finding 2).

- C-2** The applicant shall effect and pay for all improvements required by the City of Vancouver, and connect each new dwelling unit to public sewer (See Health Department Finding 4).

D. Notes Required on Final Plat

The following notes shall be placed on the final plat:

D-1 Development of Lot 15

Development of Lot 15 shall not occur until the temporary cul-de-sac has been appropriately removed (See Land Use Finding 3).

D-2 Mobile Homes:

"Placement of Mobile Homes is prohibited" (See Land Use Finding 4).

D-3 Archaeological (all plats):

"If any cultural resources are discovered in the course of undertaking the development activity, the Office of Archaeology and Historic Preservation in Olympia and Clark County Community Development shall be notified. Failure to comply with these State requirements may constitute a Class C Felony, subject to imprisonment and/or fines."

D-4 Impact Fees:

"In accordance with CCC 18.65, except for 1 dwelling unit (1/2 of a duplex unit) designated on the final plat as waived, the School, Park and Traffic Impact Fees for each dwelling unit in this subdivision are: \$1,725.00 (Vancouver School District), \$1,884.00 (\$1,445.00-Acquisition; \$440.00-Development for Park District #7), and \$ 1,220.18 (Orchards TIF District) respectively. The impact fees for lots on this plat shall be fixed for a period of three years, beginning from the date of preliminary plat approval, dated _____, and expiring on _____. Impact fees for permits applied for following said expiration date shall be recalculated using the then-current regulations and fees schedule."

D-5 Sidewalks:

"Prior to issuance of occupancy permits, sidewalks shall be constructed along all lots as noted"

D-6 Utilities:

"An easement is hereby reserved under and upon the exterior six (6) feet at the front boundary lines of all lots for the installation, construction, renewing, operating and maintaining electric, telephone, TV, cable, water and sanitary sewer services. Also a sidewalk easement as necessary to comply with ADA slope requirements upon the exterior six (6) feet along the front boundary lines of all lots adjacent to public streets."

D-7 Wetland Covenants:

"Clark County Wetland Protection Ordinance (Clark County Code Chapter 13.36) requires wetlands and wetland buffers to be maintained in a natural state. Refer to the Conservation Covenant recorded in conjunction with this plat for limitations

on the maintenance and use of the wetland and wetland buffer areas identified on the face of this Plat."

D-8 Land Within Wellheads Protection Areas:

"The dumping of chemicals into the groundwater and the use of excessive fertilizers and pesticides shall be avoided. Homeowners are encouraged to contact the State Wellhead Protection program at (206) 586-9041 or the Washington State Department of Ecology at 800-RECYCLE for more information on groundwater /drinking supply protection."

D-9 Erosion Control:

"Building Permits for lots on the plat shall comply with the approved erosion control plan on file with Clark County Building Department and put in place prior to construction."

D-10 Driveways:

"All residential driveway approaches entering public roads are required to comply with CCC 12.05A."

D-11 Private Roads:

"Clark County has no responsibility to improving or maintaining private roads contained within or private roads providing access to this site, and each lot owner having access to a private road must participate in a private maintenance agreement."

D-12 Privately Owned Stormwater Facilities:

"The following party(s) are responsible for long-term maintenance of the privately owned stormwater facilities: _____."

E. Standard Conditions

This development proposal shall conform to all applicable sections of the Clark County Code. The following conditions shall also apply:

E-1 Land Division:

Within 5 years of preliminary plan approval, a Fully Complete application for Final Plat review shall be submitted.

E-2 Landscaping:

Prior to recording the final plat, the applicant shall submit information (per CCC 17.301.100) verifying that the required landscape has been installed in accordance with the approve landscape plan(s).

E-3 Wetlands:

The requirements of CCC Section 13.36.250 shall apply even if no impacts are proposed. These requirements include:

- a) Demarcation of wetland and/or buffer boundaries established prior to, and maintained during construction (i.e. sediment fence;

- b) Permanent physical demarcation of the boundaries in a manner approved by the Development Services Manager (i.e. fencing, hedgerows, berms etc.) and posting of approved signage on each lot or every 100 ft of the boundary, whichever is less;
- c) Recording a conservation covenant with the County Auditor that runs with the land and requires that the wetlands and buffers remain in natural state; and, Showing the wetland and buffer boundaries on the face of the Final Plat and including a note that refers to the Separately recorded conservation covenant.

E-4 Pre-Construction Conference:

Prior to construction or issuance of any grading or building permits, a pre-construction conference shall be held with the County.

E-5 Erosion Control:

Prior to construction, the applicant shall submit and obtain County approval of a final erosion control plan designed in accordance with CCC 13.29 or 13.27A (as applicable per the vesting date).

E-6 Erosion Control:

For land divisions, a copy of the approved erosion control plan shall be submitted to the Chief Building Official prior to final plat recording.

E-7 Erosion Control:

Prior to construction, erosion/sediment controls shall be in place. Sediment control facilities shall be installed that will prevent any silt from entering infiltration systems. Sediment controls shall be in place during construction and until all disturbed areas are stabilized and any erosion potential no longer exists.

E-8 Erosion Control:

Erosion control facilities shall not be removed without County approval.

E-9 Excavation and Grading:

Excavation/grading shall be performed in compliance with Appendix Chapter 33 of the Uniform Building Code (UBC).

E-10 Excavation and Grading:

Site excavation/grading shall be accomplished, and drainage facilities shall be provided, in order to ensure that building foundations and footing elevations can comply with CCC 14.04.252.

E-11 Stormwater:

Prior to construction, the applicant shall submit and obtain County approval of a final stormwater plan designed in conformance to CCC 13.29.

E-12 Transportation:

Prior to construction, the applicant shall submit and obtain County approval of a final transportation plan designed in conformance with CCC 12.05A.

E-13 Health Department:

- a.) Applicant shall comply with the requirements of the Health Department.
- b.) The applicant may be required to provide evidence of an adequate water supply and/or an adequate sewerage collection and treatment system. Such evidence (normally in the form of a letter from the purveyor) shall be submitted to and approved by the Health Department prior to final plat approval.

Note: Any additional information submitted by the applicant within fourteen (14) calendar days prior to or after issuance of this report, may not be considered due to time constraints. In order for such additional information to be considered, the applicant may be required to request a hearing extension and pay half the original review fee.

HEARING EXAMINER DECISION AND APPEAL PROCESS

This report to the Hearing Examiner is a recommendation from the Development Services Division of Clark County, Washington.

The Examiner may adopt, modify or reject this recommendation. The Examiner will render a decision within 14 calendar days of closing the public hearing. The County will mail a copy of the decision to the applicant and neighborhood association within 7 days of receipt from the Hearing Examiner. All parties of record will receive a notice of the final decision within 7 days of receipt from the Hearing Examiner.

An **appeal** of any aspect of the Hearing Examiner's decision, except the SEPA determination, may be appealed to the Board of County Commissioners only by a party of record. A party of record includes the applicant and those individuals who signed the sign-in sheet or presented oral testimony at the public hearing, and/or submitted written testimony prior to or at the Public Hearing on this matter.

The appeal shall be filed with the Board of County Commissioners, 1013 Franklin Street, Vancouver, Washington, 98668, within fourteen (14) calendar days from the date the notice of final land use decision is mailed to parties of record.

Any appeal of the final land use decisions shall be in writing and contain the following:

1. The case number designated by the County and the name of the applicant;
2. The name and signature of each person or group (petitioners) and a statement showing that each petitioner is entitled to file an appeal as described under Section 18.600.100 (A) of the Clark County Code. If multiple parties file a single petition for review, the petition shall designate one party as the contact representative with the

Development Services Manager. All contact with the Development Services Manager regarding the petition, including notice, shall be with this contact person;

3. The specific aspect(s) of the decision and/or SEPA issue being appealed, the reasons why each aspect is in error as a matter of fact or law, and the evidence relied, on to prove the error; and,
4. If the petitioner wants to introduce new evidence in support of the appeal, the written appeal also must explain why such evidence should be considered, based on the criteria in subsection 18.600.100 (D)(2).
5. A check in the amount of **\$263** (made payable to the Clark County Board of County Commissioners).

Attachments:

- Copy of Proposed Preliminary Plan
- Copy of SEPA Checklist

A copy of the approved preliminary plan, SEPA Checklist and Clark County Code are available for review at:

**Department of Community Development
1408 Franklin Street
P.O. Box 9810
Vancouver, WA 98666-9810
Phone: (360) 397-2375; Fax: (360) 397-2011**

A copy of the Clark County Code is also available on our Web Page at:
Web Page at <http://www.clark.wa.gov>